

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02513-ABJ

TAYLOR, II v. EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY

Assigned to: Judge Amy Berman Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 10/18/2018

Jury Demand: None

Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)

Jurisdiction: U.S. Government Defendant

Plaintiff

EPHREN W. TAYLOR, II

represented by **EPHREN W. TAYLOR, II**
R26896-045
SANDSTONE
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
P.O. BOX 1000
SANDSTONE, MN 55072
PRO SE

V.

Defendant

EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY
(EOUSA)

represented by **Rhonda Lisa Campbell**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2559
Fax: (202) 252-2599
Email: rhonda.campbell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/18/2018		Initiating Pleading & IFP Application Received on 10/18/2018. A copy of the docket sheet has been mailed to the address of record for the pro se party. (zmd) (Entered: 10/30/2018)
10/18/2018	<u>1</u>	COMPLAINT against EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY filed by EPHREN W. TAYLOR, II. (zmd) (Entered: 10/30/2018)
10/18/2018	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by EPHREN W. TAYLOR, II. (zmd) (Entered: 10/30/2018)
10/18/2018	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by EPHREN W. TAYLOR, II. (zmd) (Entered: 10/30/2018)
10/18/2018	<u>4</u>	MOTION to Appoint U.S. Marshals to Serve Summons and Complaint by EPHREN W. TAYLOR, II. (zmd) (Entered: 10/30/2018)
11/05/2018	<u>5</u>	MOTION Under Vaughn v. Rosen to require detailed indexing, justification, and itemization. (zef,) (Entered: 11/06/2018)
11/06/2018	<u>6</u>	MOTION to Appoint Marshal to serve Summons and Complaint by EPHREN W. TAYLOR, II (Attachments: # <u>1</u> Exhibit)(zrdj) (Entered: 11/09/2018)
12/03/2018	<u>7</u>	ORDER directing an initial partial filing fee in the amount of \$100.03 from Prison Account of EPHREN W. TAYLOR, II and granting <u>2</u> MOTION for Leave to Proceed In Forma Pauperis and denying <u>4</u> MOTION to Appoint U.S. Marshals to Serve

		Summons and Complaint (see order for full details). Pro Se party has been notified by first class mail. Signed by Judge Amit P. Mehta on 12/3/2018. (zrdj) (Entered: 12/06/2018)
12/10/2018		Case Reassigned to Judge Amy Berman Jackson. Unassigned is no longer assigned to the case. (zrdj) (Entered: 12/10/2018)
12/13/2018		MINUTE ORDER denying <u>5</u> motion for a Vaughn index without prejudice as the motion is premature. Defendant has not yet been served with the complaint or responded to it, so it is still unknown if there will be any documents withheld on the basis of any privileges or exemptions. Signed by Judge Amy Berman Jackson on 12/13/18. (DMK) (Entered: 12/13/2018)
12/17/2018	<u>8</u>	MOTION for Leave to Proceed in forma pauperis without prepayment of fees or costs by EPHREN W. TAYLOR, II (jf) (Entered: 12/19/2018)
12/17/2018	<u>9</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by EPHREN W. TAYLOR, II (jf) (Entered: 12/19/2018)
12/20/2018		MINUTE ORDER denying as moot <u>8</u> Plaintiff's Motion for Leave to Proceed in forma pauperis. Such relief was granted on December 3, 2018, and an initial partial filing fee was assessed in accordance with the Prison Litigation Reform Act. See Order [Dkt. # 7]. Signed by Judge Amy Berman Jackson on 12/20/18.(ah) (Entered: 12/20/2018)
01/17/2019		Partial Filing Fee Received from EPHREN W. TAYLOR, II in the amount of \$100.03, receipt number: 4616096318. (zrdj) (Entered: 01/18/2019)
01/31/2019	<u>10</u>	SUMMONS (3) Issued as to EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY, U.S. Attorney and U.S. Attorney General (zef,) (Entered: 01/31/2019)
04/01/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY served on 3/20/2019, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/20/2019. (jf) (Entered: 04/02/2019)
04/17/2019	<u>12</u>	MOTION for Extension of Time to by EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY (Attachments: # <u>1</u> Text of Proposed Order)(Campbell, Rhonda) (Entered: 04/17/2019)
04/18/2019		MINUTE ORDER granting <u>12</u> Motion for Extension of Time. It is ORDERED that defendant's response to the complaint is due May 24, 2019. Signed by Judge Amy Berman Jackson on 4/18/19. (DMK) (Entered: 04/18/2019)
04/18/2019		Set/Reset Deadline: Defendant's response to the complaint is due by 5/24/2019. (jth) (Entered: 04/18/2019)
04/18/2019	<u>13</u>	NOTICE of Appearance by Rhonda Lisa Campbell on behalf of EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY (Campbell, Rhonda) (Entered: 04/18/2019)
04/19/2019	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/5/2019. Answer due for ALL FEDERAL DEFENDANTS by 5/5/2019. (jf) (Entered: 04/22/2019)
05/13/2019	<u>15</u>	NOTICE of Change of Address by EPHREN W. TAYLOR, II (jf) (Entered: 05/15/2019)
05/24/2019	<u>16</u>	ANSWER to <u>1</u> Complaint by EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY.(Campbell, Rhonda) (Entered: 05/24/2019)
05/28/2019		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before June 21, 2019. Signed by Judge Amy Berman Jackson on 5/28/19. (DMK) (Entered: 05/28/2019)

05/28/2019		Set/Reset Deadlines: Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, by 6/21/2019. (jth) (Entered: 05/28/2019)
06/21/2019	<u>17</u>	MOTION for Briefing Schedule by EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY (Campbell, Rhonda) (Entered: 06/21/2019)
06/24/2019		MINUTE ORDER granting <u>17</u> defendant's Motion for Briefing Schedule. It is ORDERED that defendant's motion for summary judgment is due by August 23, 2019; plaintiff's opposition is due by September 30, 2019; and defendant's reply is due by October 11, 2019. Signed by Judge Amy Berman Jackson on 6/24/19. (DMK) (Entered: 06/24/2019)
07/15/2019	<u>18</u>	RESPONSE re <u>17</u> MOTION for Briefing Schedule filed by EPHREN W. TAYLOR, II. (jf) (Entered: 07/17/2019)
07/22/2019	<u>19</u>	MOTION for Vaughn Index by EPHREN W. TAYLOR, II (jf) (Entered: 07/29/2019)
08/01/2019		MINUTE ORDER denying as premature <u>19</u> Plaintiff's Motion for Vaughn Index. If records have been withheld, defendant is required to justify the withholdings in its motion for summary judgment due August 23, 2019, and it may do so by means other than a Vaughn Index. Plaintiff may then challenge any such justifications in his opposition due September 30, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/1/19.(ah) (Entered: 08/01/2019)
08/23/2019	<u>20</u>	MOTION for Summary Judgment, MOTION to Dismiss by EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration EOUSA Griffin, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Declaration USAO Comer)(Campbell, Rhonda). Added MOTION to Dismiss on 8/26/2019 (jf). (Entered: 08/23/2019)
08/23/2019	<u>21</u>	ENTERED IN ERROR.....MOTION to Dismiss by EXECUTIVE OFFICE FOR UNITED STATES ATTORNEY (Campbell, Rhonda) Modified on 8/26/2019 (jf). (Entered: 08/23/2019)
08/26/2019		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>21</u> MOTION to Dismiss was entered in error and added to docket entry <u>20</u> . (jf) (Entered: 08/26/2019)
09/04/2019	<u>22</u>	Order advising plaintiff to respond to defendant's motion for summary judgment by the previously set deadline of September 30, 2019, or risk entry of judgment in defendant's favor based on its factual assertions and closure of the case (see document for details). Signed by Judge Amy Berman Jackson on 9/4/19.(ah) (Entered: 09/04/2019)
09/09/2019	<u>23</u>	MOTION for Vaughn Index by EPHREN W. TAYLOR, II (zrdj) (Entered: 09/12/2019)
09/16/2019	<u>24</u>	MOTION for Extension of Time by EPHREN W. TAYLOR, II (jf) (Entered: 09/19/2019)
09/19/2019		MINUTE ORDER denying without prejudice <u>23</u> plaintiff's Motion for Vaughn Index and granting in part <u>24</u> his Motion for Extension of Time. Defendant's motion for summary judgment advances an argument that plaintiff has waived his FOIA rights and is not entitled to documents at all. Plaintiff may address this argument in his opposition, which is now due by October 30, 2019. No other relief requested in <u>24</u> the extension motion is granted. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/19/19. (DMK) (Entered: 09/19/2019)